

CAPITAL IMPROVEMENT BOARD OF MANAGERS
OF MARION COUNTY, INDIANA
Minutes of Meeting
Friday, July 10, 2020-8:30 am
Indiana Convention Center
Via Teleconference

A Meeting of the Capital Improvement Board of Managers of Marion County, Indiana ("Board") was held on July 10, 2020. Due to the Declaration of Public Health Emergency due to the COVID-19 virus and to ensure compliance with the social distancing guidelines and consistent with the Governor's Orders, this meeting took place via teleconference. Board Members in attendance included Melina Kennedy, David E. Corbitt, Michael C. Terrell, David Ruhmkorff, Jim Dora Jr., Maggie A. Lewis, Brenda Myers, Earl Goode and Sarah Fisher as well as Ex-Officio Leonard Hoops. Others in attendance included Andy Mallon, Executive Director, Mary Solada, General Counsel, Dentons Bingham Greenebaum

LLP ("DBG"), Tom Boyle, Director of Operations, Kobi Wright, Business Operations Director and Senior Counsel, Eric Neuburger, Stadium Director, Debbie Hennessey, Convention Center Director, Tim Kuehr, Chief Financial Officer, Art Kodroff, Chris Gahl, Visit Indy, ("VI"), James Wallis, VI, Daren Kingi, VI, David Sease, SGA, Lisa Vielle, Well Done Marketing, and members of the media. (A copy of the list of those who were in attendance on the call is attached hereto.)

Ms. Kennedy asked Mr. Mallon to address the Board with a general update. Mr. Mallon wished to share some specific things the CIB was currently involved in as part of the efforts to improve the Indianapolis downtown area economically and encourage the regrowth of the area businesses and hospitable atmosphere. He reminded the Board that the CIB helped to fund the Chamber of Commerce \$1 Million Rapid Relief Fund designated to assist the hospitality industry by concentrating on helping locally owned businesses and restaurants located downtown. He asked the Board to reach out to him with any inquiries about this program noting that there were still funds available for this purpose. Mr. Mallon also informed the Board that Visit Indy along with the CIB was awarded \$1M of funds as part of the Coronavirus Aid, Relief, and Economic Security Act, also known as the CARES Act, to jumpstart a marketing campaign to increase business downtown and noted Leonard Hoops and Chris Gahl would share more about this during his presentation. Mr. Mallon explained he and his Executive staff were looking ahead to the next quarter for new ways to activate the Downtown market district in socially acceptable and health conscious safe ways. He informed the Board that he and the staff have gone above and beyond to persuade the meeting planners of the current event taking place in the Facility, the Tourney of Championships Basketball event, to choose Indy as their host city. He added that everyone was happy they chose Indy and that the CIB was able to provide the venue. He explained the staff worked closely with local health officials staying informed with the most up-to-date information and doing everything possible to ensure this event went forward in as healthy and safe of a way as possible.

He noted the Tourney resumes later in the day adding that everyone was very pleased with the way things were operating in the first 3 days of the tournament and wanted to continue this in the next series of basketball games as well. Mr. Mallon stated that it was refreshing to see people walking around downtown again in and out of restaurants and hotels. Ms. Kennedy thanked Mr. Mallon for his update

Ms. Kennedy introduced the **Approval of Minutes** for the Friday, June 5, 2020 meeting. Upon a motion by Mr. Ruhmkorff and seconded by Mr. Corbitt, the Minutes were unanimously approved as presented.

Mr. Kuehr presented the **Financial Update** to the Board as per the supporting documentation, which is attached hereto and made a part of these minutes. Mr. Kuehr reviewed the financial statements for the month and year to date with the Board members explaining variances from budget and answering questions as necessary. Ms. Kennedy asked if there were any additional questions for Mr. Kuehr regarding the Financial Update. Mr. Kuehr explained that these figures correspond with the month of April which was the first full month impacted by the COVID-19 shutdown. Mr. Dora asked Mr. Kuehr if the Board can anticipate that this will be the typical tax revenue that will be seen until the end of the year. Mr. Kuehr stated that he thinks that this is a beginning baseline starting point the starting point and he expects a gradual upward trend each month, but he did not expect the numbers would get back to the level they have been in the past at this time of the year. Mr. Mallon reminded the board that the Tax Revenue is our largest source of revenue and with the month of April being completely dark with no events since everyone was ordered to stay at home due to COVID, these current figures were comparable to a new base line for comparison. He stated that he expected the tax revenues to slowly increase as things return to normal but that he agreed with Mr. Kuehr that this would not be likely to occur before the end of this year. There were no further questions from the Board at this time. Ms. Kennedy thanked Mr. Kuehr for the update.

Ms. Kennedy then introduced the **Visit Indy Updates** agenda item as attached hereto and made a part of these Minutes and presented by Leonard Hoops. Mr. Hoops updated the Board on the Hotel Market Share Performance for the previous month and explained the VI Room-Night Production by Year, Venue and Market Segment, comparing this years' results to past years results using data and graphs. Mr. Hoops explained that the data mirrored the overall effect of the struggle of the downtown businesses and hotels due to the pandemic and the closure of the Convention Center. He noted these events had a negative effect on the economy in the downtown and surrounding areas. He pointed out that one positive thing to note was that the pipeline for future sales was at 105% so there were good numbers coming down the road once the situation improved. Mr. Hoops mentioned the current basketball tournament in the building and noted that there were additional tourneys coming in the next few weeks. He commented that the standards for health and safety in the Convention Center were so high that people commented they felt safer at these events than they did in other places like the grocery market or other retail stores. Mr. Goode took this opportunity to compliment the staff and leadership of the Convention Center and of Visit Indy remarking that this facility was a role model for other venues of this type. He commented on the ability of the staff and management to honor

the 250 or less person limit while still handling this large group in a safe and efficient manner was to be complimented and he thanked Mr. Mallon and Mr. Hoops and their staff for doing such a fine job. As Mr. Mallon mentioned earlier, Mr. Hoops stated that CIB and VI have put together a marketing plan using COVID relief dollars. He noted that there was a change in the government policy which enabled the dollars to be used for tourism and leisure promotion to assist with COVID recovery. Visit Indy did a soft launch of this program in July and it has already generated several hundred hotel reservations. Mr. Hoops noted that 50% of the funds are going toward marketing the re-opening of downtown. He mentioned the program will be working with the Arts Council, White River State Park, the Canal, the Cultural Trail, the Indianapolis Zoo and other organizations in the downtown area. He noted the other 50% of the funds were being used to market destinations throughout the state. The program is called "You're earned it" and it features special Hoosier only rates. He stated that it has been shown through research that about 50% of people plan on taking a trip later this summer and most of them plan on driving. The premise is to encourage fellow Hoosiers to take a trip to another part of the state of Indiana and combine that effort with lower prices and special deals in these areas "for Hoosiers only". Chris Gahl reiterated that the research points to Hoosiers taking a trip later this year and if they do take a trip, he and the VI staff want it to be to the Capital city. Mr. Gahl stated that the VI team would be anxious to report how things were progressing at the next Board meeting. Ms. Kennedy thanked Mr. Hoops for his presentation and asked if there were any questions for Mr. Hoops at this time and there were none.

Ms. Kennedy introduced the next agenda item **ICCLoS Sales Report** as attached hereto and made a part of these Minutes. She introduced Debbie Hennessey to present the ICC portion of the report. Ms. Hennessey reiterated to the Board the Tourney of Champions Basketball games were in the building today, and games would be played on Saturday and Sunday as well. She noted that everyone on staff was practicing safety measures to keep everyone safe such as having divided hallways to help maintain a proper and safe distance between guests, taking measures to ensure there are only 250 people in the hall at one time by clearing out the rooms between games to keep an accurate count for each individual game as well as have housekeeping disinfect the area between games. She estimated that there were approximately 7,000 people coming through the building throughout the day. Ms. Hennessey noted that the Security team was doing an outstanding job making sure that all guests were wearing face masks and keeping them on at all times. She informed the Board that there were some smaller events scheduled for later this month for IMPD, IFD and Local #440 and it was nice to have activity back in the Facility. Ms. Hennessey took this opportunity to thank Building Director Tom Boyle and his housekeeping team for doing such an outstanding job with cleaning and disinfecting of the building. She also thanked him for keeping all of the equipment in the facility updated and safe for the employees and guests. Kennedy thanked her for her report and asked if there were any further questions for Ms. Hennessey and there were none at this time. Ms. Kennedy introduced Mr. Neuburger to present the Lucas Oil Stadium ("LOS") portion of the report. Mr. Neuburger told the Board that LOS was starting to look like itself again informing them that the following day was the first of ten Indy Eleven games taking place at the Stadium noting that four games would take place before the next CIB Board meeting. He stated that he believed this is the first professional

sporting event taking place in the area and that he was glad that LOS was leading the charge and hoped to be an example for others to follow. He informed the Board that they had a robust safety and health plan in place which was posted publically on the Indy Eleven site. Safety measures in place include social distancing with designated routes in the concourse, temperature checks for both staff and guests, staged entry to the game with guidance given to guests as they enter the building. Distanced seating families seated at least 6 feet apart-generally 4 seats between people. Mr. Neuburger added with regard to the Food Service Plexiglas has been installed at all points of sale and the food packaging and presentation has been altered to ensure the lowest possible health risks in the that area. Mr. Neuburger also mentioned that the Indiana Sports Corporation would be bringing the Indy Ultimate Event to the Stadium and guests will be kicking footballs on the field for the Lucas Oil Stadium portion of the event. Ms. Kennedy thanked him for his report and asked if there were any further questions for Mr. Neuburger and there were none at this time.

Mr. Mallon presented the **ICCLOS Point of Sale** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained the referenced supply contract involves providing operations, services and features to upgrade the existing point of sale (POS) system for the sale of food and beverage in ICCLOS. He further explained that the CIB has an existing contract with supplier, NCR Corporation, to provide equipment, software and systems included as part of the existing POS system. The CIB and supplier will install the necessary hardware and software required for the upgrade of the existing POS system and it has been determined the CIB can utilize the existing supplier under the sole source procurement statue. The referenced supply contract base cost is \$1,544,016.80. Additional services include; software and service maintenance, travel expenses and shipping fees, totaling \$334,260.77, for a grand total of \$1,878,277.57. Staff and Counsel recommend the award to NCR Corporation in the amount of \$1,878,277.57. Upon a motion by Mr. Goode and a second by Mr. Corbitt the **ICCLOS Point of Sale** was unanimously accepted as presented.

Mr. Mallon presented the **BLF Cap Roof Project** agenda item as attached hereto and made a part of these Minutes. Mr. Mallon explained this project involves replacing practice court roof, to include; supervision, coordination, labor equipment, tools, material, hoisting and rigging. This project is being coordinated with the BLF renovation work currently in process and is being undertaken consistent with the recently amended Operating Agreement between CIB and Pacers. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low Bid was submitted by Horning Roofing & Sheet Metal Co., LLC, in the amount of \$145,475.00. Mr. Mallon explained staff and counsel have reviewed all the documents and recommend awarding the contract to Horning Roofing & Sheet Metal Co., LLC, in the amount of \$145,475.00 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Corbitt as seconded by Mr. Dora, a contract with Horning Roofing & Sheet Metal Co., LLC, for the BLF Cap Roof Project was unanimously approved as presented.

Mr. Mallon presented the **BLF Smallwares Supply Contract** agenda item as attached hereto made a part of these Minutes. Mr. Mallon explained this agenda item and referenced contract involves providing kitchen utensils, chafing dishes, china, sanitation items and other smallwares to operate the kitchen. Consistent with Indiana's Public Procurement Laws, the CIB published Invitations to Bid. The low BID was submitted by TriMark Marlinn, LLC, in the amount of \$127,762.59. Mr. Mallon explained staff and counsel have reviewed all the documents and recommend awarding the contract to TriMark Marlinn, LLC, in the amount of \$127,762.59 as its bid is both responsive and responsible. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Ruhmkorff as seconded by Mr. Terrell, a contract with TriMark Marlinn, LLC, for the BLF Small wares Supply Contract was unanimously approved as presented.

Ms. Kennedy introduced the **Policy for Electronic Meeting Participation** agenda item as attached hereto made a part of these Minutes. Mr. Mallon explained that currently Governor Holcomb's order allowing electronic participation for the CIB Board meetings is in effect, but because there is no way to be certain how long it will continue, it was decided to create a policy specifically for the CIB which will give the Board members greater flexibility with regard to attending meeting remotely going forward. He asked CIB Counsel, Mary Solada, to provide the Board with some greater detail concerning this agenda item. Ms. Solada explained that while there was a possibility that the order would still be active once conditions begin to improve, this policy was created to give Board members maximum flexibility to assure they are comfortable and do not feel pressured to return to a face-to-face Board meeting before they are ready to do so. Ms. Solada explained the policy, which is attached to and made a part of these Minutes, in detail to the Board and explained it can always be modified going forward. Ms. Kennedy commented that this is new territory for the CIB but these past several months it has been proven that the meetings can be conducted remotely in an efficient manner and asked if there were any questions concerning the policy for Ms. Solada. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Terrell as seconded by Mr. Dora, the Policy for Electronic Meeting Participation was unanimously approved as presented.

Ms. Kennedy introduced the next agenda item **Disposal of Obsolete Equipment** as attached hereto and made a part of these Minutes and presented by Andy Mallon. Mr. Mallon noted the list of equipment has been reviewed by Staff and found to have no book value. After further inquiries, questions and discussion by the Board and the presenters, and after a motion by Mr. Goode as seconded by Mr. Corbitt, the Disposal of Obsolete Equipment was unanimously approved as presented by the Board.

Ms. Kennedy introduced the **Claims** as attached hereto and made a part of these Minutes and presented by Andy Mallon and Tim Kuehr. The first Voucher presented was for the Operating expenses. There were no questions from the Board and upon a motion by Mr. Dora and seconded by Mr. Ruhmkorff, Operating Voucher Claim 8841G was unanimously approved by the Board. Mr. Kuehr next presented Confirming Voucher Claim 8844C as well as the BLF Construction Claims to the Board. There were no questions and upon a

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motion by Mr. Ruhmkorff and seconded by Mr. Dora, Claims 8844C and BLF Confirming Construction Claims B206 were unanimously approved by the Board.

In **Other Business**, Mr. Mallon reminded the Board members that the August meeting date had been moved up a week and that the time they would meet would be August 14, 2020. There being no further business to address and no **Public Comment**, the meeting was adjourned.

Melina Kennedy, President
THE CAPITAL IMPROVEMENT BOARD
OF MANAGERS
OF MARION COUNTY, INDIANA

David Ruhmkorff, Secretary
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